

Docket No. A2011-19

## Postal Regulatory Commission

Washington, D.C. 20268-0001

### NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on June 22, 2011, the Commission received a petition for review of the Postal Service's determination to close the Lafayette Postal Trailer in Freehold, New Jersey and application for suspension of the determination. The petition for review was filed by A. Richard Gatto on behalf of the Freehold Center Management Corporation (Petitioner) and is postmarked June 21, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than July 7, 2011.



Shoshana M. Grove  
Secretary

Date: June 24, 2011

Attachment



Postal Regulatory Commission  
Office of the Chief Admin. Officer

June 20, 2011

JUN 22 2011

Postal Regulatory Commission  
901 New York Avenue NW  
Suite 200  
Washington DC 20268-0001

**RE: LAFAYETTE POSTAL TRAILER-FREEHOLD NJ, 07728**

**PETITION FOR REVIEW**

**APPLICATION FOR SUSPENSION OF DETERMINATION OF THE POSTAL  
SERVICE TO CLOSE LAFAYETTE POSTAL TRAILER PENDING APPEAL  
AND PETITION FOR REVIEW**


**REQUEST FOR ORAL ARGUMENTS per & 3001.16**

Secretary of the Commission,

Please be advised that I represent the Freehold Center Management Corporation (FCMC), dba Downtown Freehold (formerly known as the Freehold Center Partnership), a Special Improvement District that was created by local ordinance of the Borough of Freehold to represent approximately 400 businesses and commercial property owners in the District. Its members are serviced by the Lafayette Postal Trailer, Freehold, NJ 07728 and this Post Office has been noticed for proposed closure on July 29, 2011 (exhibit 1), and on their behalf and interest, I do respectfully request appeal and review of this determination of closure per Title 39, Subpart H.

Please find attached a Petition for Review and related exhibits.

Sincerely,

  
A. Richard Gatto, CEO  
Freehold Center Management Corp  
Downtown Freehold

Western Monmouth's Original Downtown

10 East Main Street, Suite 4A • Freehold, New Jersey 07728 • Tel: 732-333-0094 Fax: 732-333-0095



## **PETITION FOR REVIEW**

**1. Notice:** The FCMC was not given notice of this closure, as an interested party, per Section & 3001.110 despite having served notice on the Postal Service as an interested party. (exhibit 2 & 3)

Postal Service notice provide to Post Office Box holder, is deficient, per & 3001.110 , "this notice must include a provision stating that, pursuant to Pub L. 94-421, a final Postal Service determination to close or consolidate a post office may be appealed to the Postal Regulatory Commission...." (exhibit 1)

**2. Written Determination** Postal Service has not issued a written determination for closing and has not provided a written response to prior correspondences from FCMC. ( exhibit 2 & 3) Postal Service has not provided any written response or made any attempt to respond; despite its oral representation, to do so at the meeting held on March 25, 2009. That meeting included United States Congressman Christopher Smith.

**3. County Seat** The Closing of this facility would render Monmouth County the only County Seat without a postal office in the State of New Jersey.

**4. Confusion in ZIP Codes** It should be made clear for the record, that this Post Office serves the residents and businesses located in Freehold Borough. Freehold Borough has its own form of government (Mayor & Council), its own municipal services including Police and Fire, and full service Administration. The closing of this Post Office will leave a full service municipality without a post office.

Freehold Township is a separate municipality with its own form of government (Committee structure) and has its own municipal services including Police and Fire, and full service Administration.

While they both share the name Freehold and the same zip code (07728), that is where the similarities end. Freehold Borough experiences high pedestrian traffic. Many residents, including a large population of seniors and minority groups, do not have automobiles. In addition many of these residents are computer illiterate and cannot access postal services on the internet. The closing of this post office will deny a majority of the population of Freehold Borough the ability to access any postal services and place a substantial burden on Downtown businesses that rely on the Lafayette postal trailer.

**Western Monmouth's Original Downtown**



**5. Nearest Post Office** The nearest postal facility is almost 2 miles away in Freehold Township. The Township Post Office is located adjacent to a highly congested road within a highly congested shopping center; it is poorly accessible and the customer service time is often excessive. The access road to this facility and the available parking on site are over capacity and substandard. This facility provides no pedestrian access or service by public transportation. The increased use of this facility, resulting from the closure of the Lafayette postal trailer, will cause a severe and excessive burden to the residents of both municipalities.

**6. Surrounding Municipalities with Two or More Post Offices** There are several surrounding municipalities that have two or more post offices located within their towns, with different zip codes, that do significantly less postal business. These offices continue in use and apparently have had no formal consideration of closing or consolidation.

**7. Public Law 105-241** By not providing a written report or any other form of communication to elected officials and other interested parties, the Postal Service is in violation of this Act of Congress (exhibit 4).

**8. Public Support** Please see attached resolutions of support for maintaining this facility (exhibit 5)

**9. Request for Oral Arguments** Due to the unusual circumstances, the lack of any public disclosure of a written report, and lack of communication to elected officials of the Township of Freehold, the Borough of Freehold, the County of Monmouth, the State of NJ and the office of United States Congressman Christopher Smith, oral arguments are respectfully requested.

## **SUMMARY**

It is respectfully requested of the Postal Regulatory Commission to:

1. Reverse the determination to close the Lafayette Postal Trailer, Freehold, NJ, 07728
2. Suspend the closing of the Lafayette Postal Trailer, Freehold, NJ, 07728 pending the outcome of this appeal to the Postal Regulatory Commission.

**Western Monmouth's Original Downtown**

10 East Main Street, Suite 4A • Freehold, New Jersey 07728 • Tel: 732-333-0094 Fax: 732-333-0095



**The undersigned are Business Owners and or Commercial Property Owners located with in the Special Improvement District who support this appeal**

Signature	Printed Name	Address
	Sheldon B. Fallon	
	Peter R. LaForma	
	Mike Papp	
	GIORGIO CECARINI	
	Robert Fallon	
	SCOTT J. BASEN	
	F.J. Dwyer	
	Michael Quinn	
	Ramon Masarik	
	June George	
	Henry Schmidt	
	Joseph Cerone	
	Robert S. Oliva	
	Kathleen Sandford	
	Jeffrey Friedman	
	Jeffrey Friedman	
	Charles F. Clark, Jr.	
	Kenneth Thomson	
	NICHOLAS COLTRANO	
	Vince Manning	
	William J. Mann	
	ROBERT KASH	
	ROBERT KASH	
	ROBERT KASH	
	Thomas H. Martin	
	Bonnie Haddad	
	STEVE GOLDBERG	

Western Monmouth's Original Downtown

10 East Main Street, Suite 4A • Freehold, New Jersey 07728 • Tel: 732-333-0094 Fax: 732-333-0095



May 25, 2011

Post Office Box Customer  
Lafayette Trailer, Freehold NJ 07728

This is to inform you of the U.S. Postal Service's decision to close the Lafayette Trailer located at 13 Lafayette Street, Freehold NJ. We advised you in July of 2009 of our intent to conduct a feasibility study and the final decision has been made. This trailer will close at the end of business on July 29, 2011.

Because of the drastic decline in mail volume, the Postal Service is in a fiscal crisis and must take action to reduce the size of its retail and delivery network. By consolidating, streamlining and adjusting our operations, the Postal Service becomes a more efficient and effective organization.

I want to assure you that the community's input was received and carefully considered before making this decision. Ultimately, based on all of the factors involved, the decision was made to proceed with the closure.

As a Post Office box customer, you have the option of continuing your Post Office box at the Freehold Post Office located at 200 Village Center Drive. You will not be required to change your mailing address if you choose to continue your Post Office Box at the new location. Once the trailer is closed, you will be required to exchange your current box keys for the new box keys at the Freehold Post Office. You will also need to complete a new PS 1093, *Application for Post Office Box Service*. Full retail service hours at the Freehold office are from 8:30 a.m. to 5 p.m. Monday through Friday, and 9 a.m. to 1 p.m. on Saturday. The Post Office box lobby is open from 6 a.m. to 7 p.m. Monday through Saturday.

Local mail delivery will not be affected by this move. Full retail services will still be available in neighboring offices and our customers will continue to receive the same excellent service they always have.

The Post Offices, stations or branches nearest to your residence are located at:

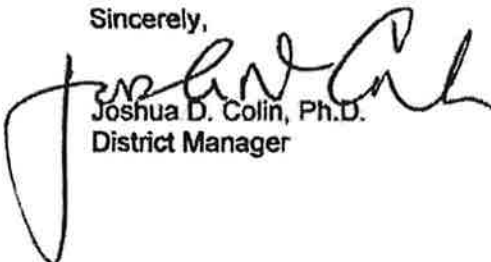
- Freehold Post Office – 200 Village Center Drive, Freehold NJ 07728
- Adelphia Post Office – 16 Wyckoff Mills Road, Adelphia NJ 07710
- Tennent Post Office – 420 Main Street, Tennent NJ 07763

Exhibit #1

However, a trip to the Post Office can be skipped altogether and you can purchase stamps and shipping labels online using the Postal Service's website, [usps.com](http://usps.com). You can also request free package pickup at [usps.com](http://usps.com). The Postal Service will pick up packages during regular mail delivery the next business day – and, unlike other shipping companies, there is no fee for this service. Postage stamps can also be purchased at 1.800.STAMP 24, thousands of banking ATMs and in more than 63,000 retail outlets across the nation.

If you have questions, or need additional information, please contact the Freehold Post Office at 732-431-4525.

Sincerely,



Joshua D. Colin, Ph.D.  
District Manager

P O BOX 9001  
BELLMAWR NJ 08029-8997  
856-933-4400  
FAX: 856-933-4004

Exhibit #1



John E. Potter  
Postmaster General and Chief Executive Officer  
475 L'Enfant Plaza Southwest  
Washington DC 20260

February 10, 2009

Re: Postal Facility- Freehold Borough-Freehold NJ-07728

Mr. Potter

I am writing to you on behalf of the Freehold Center Partnership (FCP). The FCP represents in excess of four hundred (400) business and property owners in Freehold Borough. By ordinance the FCP is empowered to enhance the downtown's economic development, and encourage its revitalization.

It has come to my attention that the United States Postal Service has unilaterally decided to imminently abandon its postal unit in Freehold Borough. The USPS has maintained its current facility for the past seven years and has served Freehold Borough very well.

This postal unit serves not only the members of the FCP, but hundreds of other professionals including lawyers, accountants, mortgage and real estate professionals. This postal unit is also patronized by heavy pedestrian traffic from within the Borough as well as by residents from the east side of Freehold Township.

This postal unit is located in the County Seat and services many governmental offices as well as the Monmouth County Courthouse.

The nearest postal facility is almost 2 miles away in Freehold Township. The Township Postal unit is located adjacent to a highly congested road within a highly congested shopping center; it is poorly accessible and the customer service time is often excessive. The access road to this facility and the available parking are over capacity. The increased use of this facility will cause a severe and excessive burden to the patrons of both facilities.

In closing, I question how the USPS can close a postal unit without surveying its patrons or at least holding a public hearing to discuss this proposal; and /or consider potential viable alternatives.

On behalf of the Freehold Center Partnership, I request your immediate intervention in this matter. The closing of this postal unit will have severe and irreversible consequences to the businesses and residents of the Borough of Freehold.

The Downtown of Western Monmouth County

10 East Main Street, Freehold, NJ 07728 TEL: 732-333-0094 FAX: 732-333-0095 [www.downtownfreehold.com](http://www.downtownfreehold.com)

EXHIBIT #2



I am available to speak to or meet with you, or your representative, at your earliest convenience.

Sincerely



**A. Richard Gatto, CEO  
Freehold Center Partnership**

**By USPS EB203905394**

**Cc: Honorable Christopher H. Smith  
Honorable Rush Holt  
Senator Jennifer Beck  
Assemblyman Declan J. O'Scanlon  
Assemblywoman Caroline Cassagrande  
Barbara McMorrow, Monmouth County Freeholder Director  
Michael Wilson, Mayor, Borough of Freehold  
Raymond Kershaw, Mayor, Freehold Township**

*Exhibit #2*

*The Downtown of Western Monmouth County*



John E. Potter  
Postmaster General and Chief Executive Officer  
475 L'Enfant Plaza Southwest  
Washington, DC 20260

July 14<sup>th</sup>, 2009

Mr. Potter

I am writing to you today as a follow up to my letter to you of February 10, 2009 in which to date I have not received a formal response.

Subsequent to my letter, a meeting was scheduled by the Mayor of Freehold Borough in conjunction with United States Congressman Christopher Smith. This meeting occurred on or about March 25, 2009 at Town Hall. Representing the United States Postal Service was Central New Jersey District Manager Priscilla Maney and Freehold Postmaster Leonard Oaks.

Other attendees at this meeting included the Mayor of Freehold Township, the Monmouth County Freeholder Director, a representative from State Senator Jennifer Beck, State Assemblyman Declan O'Scanlon and State Assemblywoman Caroline Cassagrande and United States Congressman Christopher Smith.

I have attached my letter of February 10, 2009, in which all my concerns raised in that letter continue today. I have also attached several newspaper articles regarding this issue as well as an editorial from the Asbury Park Press.

One thing that was agreed upon by all at that meeting with the Postal officials is that they would seriously review all of the many issues raised by all the parties present, including but not limited to the inability, of the Freehold Township Postal unit to effectively handle any more postal customers. Service wait times are excessive now, and access to the building is severely limited due to parking and access configuration. All in attendance were assured by Ms. Maney that she would do a thorough review and a follow up meeting would be scheduled prior to any further action by the US Postal Service.

Yesterday, I became aware that the US Postal Service has unilaterally decided to close the postal unit located in Freehold Borough, which is the County Seat of Monmouth, on or about August 15, 2009.

EX-101-#3

I am appealing to you again to personally intercede in this matter. The closing of this postal unit will have severe and irreversible consequences to the business and residents of Freehold Borough and Freehold Township.

Sincerely

A handwritten signature in dark ink, appearing to read "A. Richard Gatto". The signature is fluid and cursive, with a large initial "A" and "R".

A. Richard Gatto, CEO  
Freehold Center Partnership

Cc: Honorable Christopher H. Smith  
Honorable Rush Holt  
Senator Jennifer Beck  
Assemblyman Declan J. O'Scanlon  
Assemblywoman Caroline Cassagrande  
Barbara McMorrow, Monmouth County Freeholder Director  
Michael Wilson, Mayor, Borough of Freehold  
Anthony Ammiano, Mayor, Freehold Township

Exhibit #3

Public Law 105-241  
105th Congress

An Act

Sept. 28, 1998  
[S. 2112]

To make the Occupational Safety and Health Act of 1970 applicable to the United States Postal Service in the same manner as any other employer.

Postal Employees  
Safety  
Enhancement  
Act.

39 USC 101 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Postal Employees Safety Enhancement Act".

**SEC. 2. APPLICATION OF ACT.**

(a) **DEFINITION.**—Section 3(5) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 652(5)) is amended by inserting after "the United States" the following: "(not including the United States Postal Service)".

(b) **FEDERAL PROGRAMS.**—

(1) **OCCUPATIONAL SAFETY AND HEALTH.**—Section 19(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668(a)) is amended by inserting after "each Federal Agency" the following: "(not including the United States Postal Service)".

(2) **OTHER SAFETY PROGRAMS.**—Section 7902(a)(2) of title 5, United States Code, is amended by inserting after "Government of the United States" the following: "(not including the United States Postal Service)".

**SEC. 3. CLOSING OR CONSOLIDATION OF OFFICES NOT BASED ON OSHA COMPLIANCE.**

Section 404(b)(2) of title 39, United States Code, is amended to read as follows:

"(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

"(A) shall consider—

"(i) the effect of such closing or consolidation on the community served by such post office;

"(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

"(iii) whether such closing or consolidation is consistent with the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;

"(iv) the economic savings to the Postal Service resulting from such closing or consolidation; and

*SY/11/5 #4*

“(v) such other factors as the Postal Service determines are necessary; and  
“(B) may not consider compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).”.

**SEC. 4. PROHIBITION ON RESTRICTION OR ELIMINATION OF SERVICES.**

(a) **IN GENERAL.**—Chapter 4 of title 39, United States Code, is amended by adding after section 414 the following:

**“§ 415. Prohibition on restriction or elimination of services**

“The Postal Service may not restrict, eliminate, or adversely affect any service provided by the Postal Service as a result of the payment of any penalty imposed under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“415. Prohibition on restriction or elimination of services.”.

**SEC. 5. LIMITATIONS ON RAISE IN RATES.**

Section 3622 of title 39, United States Code, is amended by adding at the end the following:

“(c) Compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) shall not be considered by the Commission in determining whether to increase rates and shall not otherwise affect the service of the Postal Service.”.

Approved September 28, 1998.

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**LEGISLATIVE HISTORY—S. 2112:**

CONGRESSIONAL RECORD, Vol. 144 (1998):

July 31, considered and passed Senate.

Sept. 14, considered and passed House.



Exhibit 144

Clerk of the Board

RESOLUTION REAFFIRMING RESOLUTION 09-190  
OPPOSING PROPOSED CLOSING OF  
FREEHOLD BOROUGH POST OFFICE

WHEREAS, on February 26, 2009, the Monmouth County Board of Chosen Freeholders approved Resolution 09-190 opposing the proposed closing of the Freehold Borough Post Office; and

WHEREAS, the United States Postal Services stated it will be closing down the Freehold Borough Post Office located at 13 Lafayette Street due to financial concerns; and

WHEREAS, Freehold Borough would be the only county seat without a post office; and

WHEREAS, Freehold Borough has a high demand for continued postal services due to the number of government offices, numerous businesses and restaurants; and

WHEREAS, the Freehold Borough Post Office consists of only one (1) trailer and is cost effectively managed and requires no rental or lease payment for operations since the County of Monmouth provides the land to accommodate the trailer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Monmouth hereby reaffirms Resolution 09-190 and strongly opposes the proposed closing of the Freehold Borough Post Office.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Mayor and Council of Freehold Borough, the Township Committee of Freehold Township

Exhibit 5

and the Freehold Center Partnership and the Western Monmouth  
Chamber of Commerce.

EXHIBIT

**Agenda Item# 12**

**MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS**

**Freeholder Meeting Venue:**

**Date:** Jun 09, 2011 - 7:00 PM

**Location:** Hall of Records  
Freeholders' Meeting Room  
1 East Main Street  
Freehold, NJ 07728

**Agenda:** Resolution reaffirming resolution 09-190 opposing proposed closing of  
Freehold Borough Post Office

Official Document #	Res# 2011-0437						
Meeting Date	06/09/2011						
Introduced Date	06/09/2011						
Adopted Date	06/09/2011						
Agenda Item	12						
FREEHOLDER	PRES.	ABS.	MOVE	SEC.	AYE	NAY	ABST.
Mallet	✓				✓		
Arnone	✓		✓		✓		
Burry	✓			✓	✓		
Curley	✓				✓		
Clifton	✓				✓		

EXHIBIT 5



# TOWNSHIP OF FREEHOLD



**MAYOR**  
*David M. Salkin*

**TOWNSHIP COMMITTEE**  
*Eugene B. Golub, Deputy Mayor*  
*Anthony J. Ammiano*  
*Robert C. McGirr*  
*Barbara J. McMorrow*

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*"Preserving and Enhancing the Quality of Life"*

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May 13, 2011

Richard W. Rudez, Manager, Retail Operations  
United States Postal Service  
475 L'Enfant Plaza SW  
Washington, DC 20260-5621

Re: Freehold Borough – Lafayette Street Postal Facility

Dear Mr. Rudez:

The Freehold Township Committee has noted recently that local post offices throughout the Country are closing, and more particularly in New Jersey. We are very displeased with the potential plan to close the Lafayette Street Postal Facility in Downtown Freehold, New Jersey.

The following is a little history behind Freehold Borough and some important reasons why the postal facility be kept operational. Freehold Borough is the County Seat of Monmouth County. As such, Freehold Borough is the hub of much commerce and all government services. The lack of a postal facility would result in a major disservice and a serious inconvenience to these users. If the postal facility was closed, Freehold Borough would be the only County Seat in the State of New Jersey without a postal facility. In addition, Freehold Borough is home to a large pedestrian population. The absence of a postal facility would make it very difficult for these residents.

We respectfully request that you rule favorably and keep this small postal facility functioning. Please note that the rent is free and it is on Monmouth County owned property.

Thank you, in advance, for your consideration.

For the Township Committee,

  
DAVID M. SALKIN  
MAYOR

DMS/smm

cc: Township Committee  
Honorable Congressman Christopher H. Smith  
Honorable Senator Jennifer Beck  
Honorable Assemblywoman Caroline Casagrande  
Honorable Assemblyman Declan J. O'Scanlon, Jr.  
Lillian G. Burry, Monmouth County Freeholders Director  
Michael Wilson, Freehold Borough Mayor  
✓ Richard Gatto, Freehold Center Partnership Chief Executive Officer



# Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-09-75

Date of Adoption: February 10, 2009

**TITLE: RESOLUTION SUPPORTING THE CONTINUATION OF THE  
FREEHOLD BOROUGH POSTAL FACILITY**

## **--- RESOLUTION ---**

WHEREAS, Freehold Township's adjoining municipality, Freehold Borough, the Monmouth County seat, serves as the focal point of commerce, law, government, and social services for the entire County of Monmouth; and,

WHEREAS, Freehold Borough, as the Monmouth County seat, hosting a multitude of government offices and a downtown replete with businesses and restaurants, has a significant demand for postal services; and,

WHEREAS, the United States Postmaster General has issued a consolidation order which would likely result in the closure of the Freehold Borough Postal Center; and,

WHEREAS, the Township Freehold is seriously concerned with the consolidation order issued by the United States Postmaster General, as the closure of the Freehold Borough Postal Center would be a major inconvenience to local residents, businesses, senior citizens, local municipal and County government and their employees ; and,

WHEREAS, the Freehold Borough Postal Center, which consists of only a trailer, is cost-effectively managed and requires no rental or lease payment for operations since the County of Monmouth provides the land to accommodate the trailer; and,

WHEREAS, the Township of Freehold wishes to officially declare to the United States Postal Service its support of the operation of the facility in the Borough, located on Lafayette Street in the center of the downtown business area; and,

WHEREAS, closure of the Freehold Borough Postal Facility will create a hardship for many area residents who will find it difficult to avail themselves of the Raintree Facility in the Township of Freehold; and,

EXHIBIT #5  
1

No. R-09-75

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano			X				
Mrs. Avallone		X	X				
Mr. Golub	X		X				
Mr. Salkin			X				
Mayor Kershaw			X				
I-Introduced By   S-Seconded By   X- Indicates Vote   NV- Not Voting   AB- Absent							

EXHIBIT # 5



# BOROUGH OF FREEHOLD

51 West Main Street - Freehold, New Jersey 07728-2195

MICHAEL WILSON

*Mayer*

TRACI DiBENEDETTO

*Borough Clerk*

JOSEPH B. BELLINA

*Business Administrator*

NANCY FORMAN

*Chief Financial Officer*

May 2, 2011

Richard W. Rudez, Manager, Retail Operations  
United States Postal Service  
475 L 'Enfant Plaza SW  
Washington, DC 20260-5621

RE: Freehold Borough - Lafayette Street Station

Dear Mr. Rudez:

During the past few weeks, I have read more than a few accounts in the media of local post offices closing throughout the country, and more particularly in New Jersey. Needless to say, I feel much angst when this type of news becomes public because our post office in the downtown area was at one time targeted for closure. Allow me to take this opportunity to restate to you a few reasons why the postal facility in Freehold Borough must remain open.

First of all, Freehold Borough is the county seat of Monmouth County. This means that Freehold Borough is the hub of much commerce and all government services. Lack of a real postal facility would result in a major disservice and a terrible inconvenience to these users, not to mention the fact that the county seat of Monmouth would be without a postal facility. (That would be the only county seat in the whole State of New Jersey that would be without one!)

Secondly, Freehold Borough is home to a significant immigrant population. This has created a significant pedestrian population. Vehicular transportation is not an option for these people, whether they are seeking medical care, food supplies, religious services, or even the post

Exhibit 5

Richard Rudez, Manager

May 2, 2011

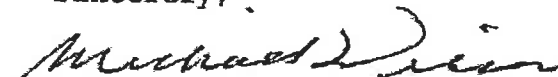
Page 2 of 2

office. The facility in neighboring Freehold Township means little to these people, and very difficult to reach.

I implore you to rule favorably on our past requests to keep this small facility functioning. Please bear in mind that the rent is free. And it is on County owned property.

Thank you for your attention to this matter.

Sincerely, .

  
Mayor Michael Wilson

c: Honorable Christopher H. Smith  
Senator Jennifer Beck  
Assemblywoman Caroline Casagrande  
Assemblyman Declan O'Scanlon  
Freeholder Lillian Burry  
Mayor David Salkin  
A. Richard Gatto, Freehold Partnership  
Committeeman Anthony Ammiano

Exhibit 5

Offered by: Shutzer                      Seconded: LeVine  
                  Aye Nay Absent Abstain                      Aye Nay Absent Abstain

DiBenedetto    X  
 LeVine           X  
 Shutzer         X

Kane            X  
 Schurr         X  
 Sims            X

I HEREBY CERTIFIED the following Resolution was adopted by the Mayor and Council of the Borough of Freehold at a regular meeting held on Tuesday, February 17, 2009.

*Traci DiBenedetto*  
 Traci DiBenedetto, B.M.C. Borough Clerk

Resolution No. 43-09 Agenda #4/2009

**Resolution Supporting the Continuation of the Freehold Borough Postal Facility**

Whereas, Freehold Borough, as the Monmouth County seat, serves as the focal point of commerce, law, government, and social services for the entire County of Monmouth; and,

Whereas, Freehold Borough, as the Monmouth County seat, hosting a multitude of government offices and a downtown replete with businesses and restaurants, has a significant demand for postal services; and,

Whereas, the United States Postmaster General has issued a consolidation order which would likely result in the closure of the Freehold Borough Postal Center; and

Whereas, the Borough of Freehold is seriously concerned with the consolidation order issued by the United States Postmaster General as the closure of the Freehold Borough Postal Center would be a major inconvenience to local residents, businesses, senior citizens, the municipal and county government and their employees; and,

Whereas, the Freehold Borough Postal Center, which consists of only a trailer, is cost effectively managed and requires no rental or lease payment for operations since the County of Monmouth provides the land to accommodate the trailer; and

Whereas, the Borough of Freehold wishes to officially declare to the United States Postal Service its support of the operation of the facility in the Borough, located on Lafayette Street in the center of the down town business area; and,

Whereas, closure of the Freehold Borough Postal Facility will create a hardship for many of its residents in the area and who will find it difficult to avail themselves of the Raintree Facility in the Township of Freehold; and,

Whereas, the continued operation of the Freehold Borough Postal Facility has been endorsed by Congressman Christopher H. Smith, the State of New Jersey 12<sup>th</sup> legislative district representatives, the Monmouth County Board of Chosen Freeholders, the Township of Freehold, and the Freehold Borough Downtown Business District.[Freehold Center Partnership]

Exhibit 5

AGENDA

ITEM #

DATE

4/2009

3

2-17-09

Now, Therefore, Be It Resolved by the Borough of Freehold, in the County Monmouth, and in the State of New Jersey, that it hereby officially declares its support for the continuation of the Freehold Borough Postal Facility and strongly urges the Postmast General to rescind any and all Orders which would affect the continued operation of the Facility.

Be it further resolved that the Freehold Borough Municipal Clerk is hereby instructed to forward true and certified copies to Senator Frank Lautenberg, Senator Robert Menendez, Congressman Christopher H. Smith, State Senator Jennifer Beck, Assemblywoman Caroline Casagrande, Assemblyman Declan O'Scanlon, the Monmouth County Board of Chosen Freeholders, the Township of Freehold, and the Freehold Center Partnership, the Western Monmouth Chamber of Commerce.

Exhibit 5